

REMARKS

Applicant, by the amendments presented above, has made a concerted effort to present claims which clearly define over the prior art of record, and thus to place this case in condition for allowance.

Abstract

In the Office Action, the Examiner objected to the Abstract because it was too long. In response, the Abstract has been shortened to less than 150 words. A replacement abstract is also included on a separate sheet enclosed herewith.

Claim Rejections

The claims have been rejected under 35 U.S.C. §102(b) based on U.S. Patent No. 5,621,864 (Benade et al.). Claims 1 and 9 are independent, and they have been amended to further define the invention and further distinguish the invention from that which is disclosed in Benade et al. Applicant respectfully submits that the pending claims are allowable over Benade et al.

Claim 1 now specifically claims computer software which includes computer readable code which is configured to scan a label and then convert the scanned label into a label format which can be used to print labels (Claim 9 claims similarly, but is directed to a method). As discussed at page 9, lines 14-17 of the present application, this obviates the need for a user to have to manually create a label format from scratch. In contrast, U.S. Patent No. 5,621,864 (Benade et al.) discloses label generating software which includes a template generator 111. The template generator 111 contains a library of label formats. However, each of the label formats must be effectively programmed from scratch by the user (see col. 7, lines 29-61, and specifically col. 7, lines 45-49). Once a label format has been selected, it can be used to print

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a label which is scannable (see col. 9, lines 11-21).

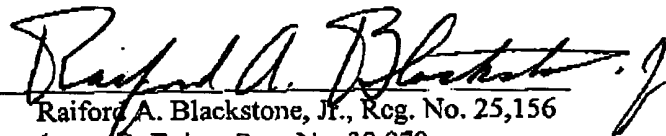
Benade et al. does not disclose or suggest scanning a label, and then using the scanned label to generate a label format which can thereafter be used to print labels. This is the thrust of the claimed invention. As such, Applicant respectfully requests that the rejection be withdrawn, and the application be passed to issue.

Should the present claims not be deemed adequate to effectively define the patentable subject matter, the Examiner is respectfully urged to call the undersigned attorney of record to discuss the claims in an effort to reach an agreement toward allowance of the present application.

Respectfully submitted,

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By:



Raiford A. Blackstone, Jr., Reg. No. 25,156

James R. Foley, Reg. No. 39,979

Attorneys for Applicant

TREXLER, BUSHNELL, GIANGIORGI,

BLACKSTONE & MARR, LTD.

105 West Adams Street, 36th Floor

Chicago, Illinois 60603-6299

Tel: (312) 704-1890

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